

EXHIBIT “A”

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Daniel D. Geoulla, Esq., SBN: 255800 B & D LAW GROUP, APLC. 10700 Santa Monica Blvd., Suite 200 Los Angeles, CA 90025 TELEPHONE NO: (310)424-5252 FAX NO. (Optional): (310)492-5855 E-MAIL ADDRESS (Optional): daniel@bdinjurylawgroup.com ATTORNEY FOR (Name): Plaintiff Victoria Castro</p>	<p>FOR COURT USE ONLY</p> <p>Electronically FILED by Superior Court of California, County of San Mateo ON 10/29/2019 By <u>/s/ Rjay Dominia</u> Deputy Clerk</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Mateo STREET ADDRESS: 400 County Center MAILING ADDRESS: 400 County Center CITY AND ZIP CODE: Redwood City, CA 94063 BRANCH NAME: Hall of Justice & Records</p>	
<p>PLAINTIFF: Victoria Castro</p>	
<p>DEFENDANT: All Souls Catholic School; Archdiocese of San Francisco Parish; and Does 1 to 100, inclusive.</p>	
<p>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</p> <p><input type="checkbox"/> AMENDED (Number):</p> <p>Type (check all that apply):</p> <p><input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Premises Liability <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): According to Proof At Trial</p>	
<p>Jurisdiction (check all that apply):</p> <p><input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000</p> <p><input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited</p>	<p>CASE NUMBER:</p> <p>19-CIV-06416</p>

- Plaintiff (name or names): Victoria Castro
alleges causes of action against defendant (name or names):
All Souls Catholic School; Archdiocese of San Francisco Parish; and Does 1 to 100, inclusive.
- This pleading, including attachments and exhibits, consists of the following number of pages: 5
- Each plaintiff named above is a competent adult
 - except plaintiff (name):
 - a corporation qualified to do business in California
 - an unincorporated entity (describe):
 - a public entity (describe):
 - a minor an adult
 - for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - other (specify):
 - other (specify):
 - except plaintiff (name):
 - a corporation qualified to do business in California
 - an unincorporated entity (describe):
 - a public entity (describe):
 - a minor an adult
 - for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - other (specify):
 - other (specify):

Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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Victoria Castro v. All Souls Catholic School, et al.	

4. Plaintiff (name):
is doing business under the fictitious name (specify):
and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. except defendant (name): All Souls Catholic School
(1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (describe):
(4) a public entity (describe):
(5) other (specify):

b. except defendant (name): Francisco Parish
(1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (describe):
(4) a public entity (describe):
(5) other (specify):

c. Plaintiff is informed and believes and thereon alleges that the defendants, and each of them, are agents, owners, managers, partners, joint-venturers, employers, successors, and/or *alter-egos* of one another and/or are in some other way liable for the events and happenings alleged herein. A unity of interests exists among defendants and to adhere to the fiction of their separate existence would sanction a fraud and promote injustice.

d. except defendant (name):
(1) a business organization, form unknown
(2) a corporation
(3) an unincorporated entity (describe):
(4) a public entity (describe):
(5) other (specify):

6. The true names of defendants sued as Does are unknown to plaintiff.

a. Doe defendants (specify Doe numbers): DOES 1 through 50 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. Doe defendants (specify Doe numbers): DOES 51 through 100 are persons whose capacities are unknown to plaintiff.

7. Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. at least one defendant now resides in its jurisdictional area.
b. the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. injury to person or damage to personal property occurred in its jurisdictional area.
d. other (specify):

9. Plaintiff is required to comply with a claims statute, and

a. has complied with applicable claims statutes, or
b. is excused from complying because (specify):

SHORT TITLE:

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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. Motor Vehicle
- b. General Negligence
- c. Intentional Tort
- d. Products Liability
- e. Premises Liability
- f. Other (specify):

11. Plaintiff has suffered

- a. wage loss
- b. loss of use of property
- c. hospital and medical expenses
- d. general damage
- e. property damage
- f. loss of earning capacity
- g. other damage (specify): According to Proof

12. The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. listed in Attachment 12.
- b. as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

Plaintiff's Damages and Demand for Relief exceeds \$25,000.00.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) compensatory damages
- (2) punitive damages

The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):

- (1) according to proof
- (2) in the amount of: \$

15. The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

5, 6, 8, L1-L5, GN-1

Date: 10/16/2019

Daniel D. Geoulla, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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First _____
(number)

CAUSE OF ACTION—Premises Liability

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ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): Victoria Castro

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.

On (date): or about 10/31/2017 plaintiff was injured on the following premises in the following fashion (description of premises and circumstances of injury):

Plaintiff was lawfully on Defendants' premises, located at or about 479 Miller Avenue, South San Francisco, CA 94080, when suddenly and without notice, Plaintiff fell down a stairway with a handrail that presented a dangerous condition. Defendants breached their duty to Plaintiff by failing to address, alleviate, remove and/or remedy the dangerous condition on Defendants' premises, and by failing to warn their customers, including Plaintiff, of the presence of such a dangerous condition, despite having adequate time and notice to do so. This conduct by Defendants, and each of them, caused Plaintiff to suffer severe injuries for which she received reasonable and necessary medical care and treatment.

Prem.L-2. **Count One—Negligence** The defendants who negligently owned, maintained, managed and operated the described premises were (names): All Souls Catholic School; Archdiocese of San Francisco Parish; and Does 1 to 100, inclusive.

Prem.L-3. **Count Two—Willful Failure to Warn** [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):

Plaintiff, a recreational user, was an invited guest a paying guest.

Prem.L-4. **Count Three—Dangerous Condition of Public Property** The defendants who owned public property on which a dangerous condition existed were (names):

- a. The defendant public entity had actual constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.
- b. The condition was created by employees of the defendant public entity.

Prem.L-5. a. **Allegations about Other Defendants** The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names): All Souls Catholic School; Archdiocese of San Francisco Parish; and Does 1 to 100, inclusive.

- b. The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are described in attachment Prem.L-5.b as follows (names):

Defendants have failed to adequately disclose information and thus the true names and identities of Does 1 through 100 are presently unknown to Plaintiff. Plaintiff is informed and believes and thereon alleges that each such Defendant is in some way responsible and liable for the events or happenings alleged in this Complaint.

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Second _____
(number)

CAUSE OF ACTION—General Negligence

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ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Victoria Castro

alleges that defendant (name): All Souls Catholic School; Archdiocese of San Francisco Parish; and
Does 1 to 100, inclusive.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant
negligently caused the damage to plaintiff

on (date): or about 10/31/2017

at (place): or about: 479 Miller Ave., South San Francisco, CA 94080

(description of reasons for liability):

- 1) Defendants so negligently owned, operated, maintained, entrusted, and/or controlled the subject premises.
- 2) Defendants owed Plaintiff a legal duty or duties. Defendants breached their duty or duties to Plaintiff.
- 3) As a result, Defendants actually and proximately caused the Plaintiff personal injuries and damages in an amount according to proof at trial.
- 4) Plaintiff is further informed and believes and thereon alleges that Defendants were subject to and violated, ADA, California Health & Safety Codes, building codes, and/or ordinances, including but not limited to rules related to stairs and handrails, and these violations actually and legally caused Plaintiff's damages, the occurrence resulting in the damages was of a nature that the regulation was designed to prevent and Plaintiff was among the class of persons for whose protection the regulation was adopted for.
- 5) By reason of the foregoing, Defendants, and each of them, are liable for, and Plaintiff is entitled to recover, Plaintiff's general, special, actual, and compensatory damages, including but not limited to, Plaintiff's necessary medical and related expenses, past, present and future lost earnings, loss of future earning capacity, as well as mental, emotional, and physical pain and suffering, in an amount according to proof at trial.